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OFFICE OF RESEARCH AND GRADUATE STUDIES

Innovation Alliances and Services  
1111 Franklin Street, 5<sup>th</sup> Floor  
Oakland, California 94607-5200  
Tel: (510) 587-6000  
Fax: (510) 587-6090

November 29, 2012

**Urgent Facsimile (571) 273-8300**

Attention: Office of Petition

Re: US Patent 6,128,431

Issued: October 3, 2000

US Application No. 09/169,021

Filed: October 8, 1998

**HIGH EFFICIENCY SOURCE COUPLER FOR OPTICAL WAVEGUIDE  
ILLUMINATION SYSTEM**

FAX RECEIVED

NOV 29 2012

OFFICE OF PETITIONS

Dear Sir/Madam,

Thank you for your letter dated September 11, 2012 in response to our request to change the entity status for the above referenced US patent.

**I have enclosed a signed copy of a Statement Under 37 CFR 3.73(b) document to address the issue of ownership for US patent 6,128,431.**

As mentioned, The Regents of the University of California, Assignee of the above reference US Patent, is no longer entitled to claim small entity status.

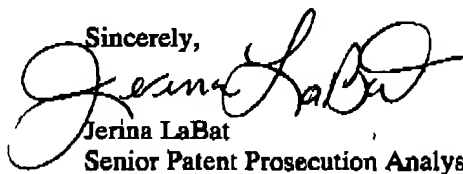
The 12 year US maintenance fee was paid on June 29, 2012 at a small entity rate in the amount of \$2,365.00

The deficiency amount owed is \$2,515.00. This amount includes the difference of \$2,365.00 to correct the fee due for large entity status and the surcharge late payment fee for \$150.00.

At this time, we would like to submit a request to the Maintenance Fee Division to charge the deficiency amount owed in the sum of \$2,515.00 to our **deposit account number 21-0649.**

If further authorization is needed, please contact John Shih at (510) 587-6034.

Thank you for your assistance in this matter.

Sincerely,  
  
Jerina LaBat  
Senior Patent Prosecution Analyst  
(jerina.labat@ucop.edu)

Attachments: Letter from UC dated July 11, 2012

Statement Under 37 CFR 3.73 document dated September 18, 2012

Notice from Petition Office dated September 11, 2012

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July 11, 2012

FAX RECEIVED

**Urgent Facsimile (571) 273-6500**

NOV 29 2012

Attention: Maintenance Fee Division

OFFICE OF PETITIONS

Re: US Patent 6,128,431

Issued: October 3, 2000

US Application No. 09/169,021

Filed: October 8, 1998

**HIGH EFFICIENCY SOURCE COUPLER FOR OPTICAL WAVEGUIDE  
ILLUMINATION SYSTEM**

Dear Sir/Madam,

This letter is to advise you that The Regents of the University of California, Assignee of the above reference US Patent, is no longer entitled to claim small entity status.

The 12 year US maintenance fee was paid on June 29, 2012 at a small entity rate in the amount of \$2,365.00

The deficiency amount owed is \$2,515.00. This amount includes the difference of \$2,365.00 to correct the fee due for large entity status and the surcharge late payment fee for \$150.00.

Please charge the deficiency amount owed in the sum of \$2,515.00 to our **deposit account number 21-0649**.

If further authorization is needed, please contact me at (510) 587-6000.

Thank you for your assistance in this matter.

Sincerely,

John Shih

Interim Patent Prosecution Manager

(john.shih@ucop.edu)

JS:jl

NOV 29 2012

## OFFICE OF PETITIONS

PTO/SB/98 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: SIMINOVITCH, MICHAELApplication No./Patent No.: 6,128,431Filed/Issue Date: October 3, 2000Titled: HIGH EFFICIENCY SOURCE COUPLER FOR OPTICAL WAVEGUIDE ILLUMINATION SYSTEMThe Regents of the University of California, a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 009721, Frame 0318, or for which a copy therefore is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

John Shih

Printed or Typed Name

September 18, 2012

Date

Director, Patent Prosecution

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 29 2012

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Commissioner for Patents  
United States Patent and Trademark Office  
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Alexandria, VA 22313-1450  
www.uspto.gov

PAUL R MARTIN  
LAWRENCE BERKELEY NATIONAL LABORATORY  
ONE CYCLOTRON ROAD  
MS 90-1121  
BERKELEY CA 94720

Docketed By: mdm  
Date Docketed: \_\_\_\_\_  
Matter No: \_\_\_\_\_  
Resp. Atty: 98C  
Action Type: Case Managed by  
WALDE U.C. Davis  
Drop Dead Date: \_\_\_\_\_  
Open Date: SEP 11 2012

In re Patent No. 6,128,431  
Issue Date: October 3, 2000  
Application No. 09/169,021  
Filed: October 8, 1998  
Attorney Docket No. **IB-1064**

OFFICE OF PETITIONS

Forward this  
notice to  
UC Davis

NOTICE

This is a notice regarding your request filed July 25, 2012, for acceptance of a fee deficiency submission under 37 CFR 1.28.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **NOT ACCEPTED**.

It appears that the petition was not properly signed by a person having authority to prosecute in the above-identified patent. Therefore, the request can not be accepted at this time.

Petitioner's attention is directed to 37 CFR 1.33(b), which states.

(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

(1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);

(2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;

(3) An assignee as provided for under § 3.71(b) of this chapter; or

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SEP 14 2012

Tech. Transfer & IP Mgmt. Dept  
Patent Group

Lawrence Berkeley National Laboratory

Patent No. 6,128,431

Page 2

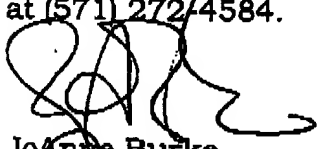
(4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

Accordingly, the request cannot be accepted until it is signed by all inventors, an attorney /agent who is registered to practice before the U.S. Patent and Trademark Office, or the assignee of the entire interest. If the request is signed by an assignee, the assignee must comply with the requirements of 37 CFR 3.73(b).

Therefore, as the petition is not signed by all the inventors and the record herein fails to disclose that petitioner herein (John Smith) was ever given a power of attorney to act on behalf of inventor Michael J. Siminovitch, or that he/she is an assignee of the entire interest and has complied with the provisions of 37 CFR 3.73(b), the petition is considered to not to be properly signed.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Inquiries related to this communication should be directed to the undersigned at (571) 272-4584.



JoAnne Burke  
Petitions Examiner  
Office of Petitions

cc: John Smith  
Innovation Alliances and Services  
1111 Franklin Street, 5<sup>th</sup> Floor  
Oakland, CA 94607-5200